

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>	)	<b>CASE NO. 8:09CR151</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>ORDER</b>
	)	
<b>RONALD L. TAMEZ,</b>	)	
	)	
<b>Defendant.</b>	)	

IT IS ORDERED THAT the parties govern themselves to conform as follows as it relates to the 3,894 collector coins seized by agents of the United States from the defendant's residence. The seized coins fall into four different categories, as it relates to victims and possible restitution.

The first category includes specific coins that are attributable to specific identifiable victims. The second category includes identifiable victims reporting specific coins stolen. However, the coins specified as stolen, though of a type seized from the defendant, cannot be attributed specifically to one victim. The third category includes collector coins seized where there are no known victims claiming a loss of coins of this type. To the extent that the defendant legitimately owned some of the coins seized by the OIG, his collector coins would fall into that third category. The fourth category includes coins determined to have been stolen with there being insufficient evidence to identify the victims.

In order to avoid a cumbersome and protracted post forfeiture process available to both specific identifiable victims of identifiable collector coins and to avoid an injustice to the defendant by forfeiting coins he may have legitimately possessed, the Court orders restitution as follows:

To the first category of identifiable victims, the United States Postal Service (OIG) is ordered to facilitate *in kind* payment by return of known collector coins to identifiable victims, pursuant to Section 5E1.1(e) of the Federal Sentencing Guidelines. The following coins fall into this category:

- 1 (1) 1901-S \$10 Liberty Head gold coin, MS-65, PCGS #8749.65/13387458 - \$5,350.00.
- 2 (1) 1821-1947 Mexican Gold 50 Pesos coin - \$1,092.12.
- 3 (1) 2006-P Sacagawea Dollar, MS 66, NGC #3120791-048 - \$16.00.
- 4 (1) 2007-P Sacagawea Dollar, MS-66, NGC #3132910-002 - \$16.00.
- 5 (2) Sunshine Mining Silver coins and (1) Coin Bullion Silver Bar 1 oz. - \$67.24.
- 6 (4) American Silver Eagles, #1986SE, #1987SE, #1988SE, #1989SE - \$101.00.
- 7 (2) Rolls 2007 Sacagawea Dollars, Uncirculated in plastic tubes - \$285.50.
- 8 (1) Roll containing 51 Indian Head Cents '1800s' in plastic tube - \$53.55.
- 9 (4) Bust Half-Dollars, 1818, 1823, 1831, 1837 - \$219.00.
- 10 (18) 2008 NM State Quarters, uncirculated in plastic tube - \$14.50.
- 11 (1) Roll of quarters in Trump Taj Mahal Wrapper - \$20.44.
- 12 (1) \$10 Westward Ho Casino Gaming Token - \$800.00.
- 13 (1) \$10 Limited Edition Circus Circus Gaming Token - \$135.63.
- 14 (1) St. Louis Spirit of '76' Pure Silver Medal, #180231070171 - \$18.56.
- 15 (10) 1964 Kennedy Half-Dollars - \$49.10.
- 16 (239) various coins packaged in Littleton Coin Co. packaging.

The second category includes known victims who provided coin descriptions that were too general to identify their specific coin(s). Due to the inability to identify the actual coins, the Court orders the defendant pay cash restitution for these victims, totaling approximately \$398.35. The following coins fall into this category:

- 1 (1) Morgan Silver Dollar, (1) Peace Dollar, (1) Ike Silver Dollar, (3) Silver Half-Dollars and (2) Silver Dimes – Daniel Scheer \$36.95.
- 2 (6) American Silver Eagle Dollars – DSS Coin & Bullion \$126.95.
- 3 (3) 1921 Morgan Silver Dollars – USPS \$46.50.
- 4 (5) Silver Dollars – Joseph Blankenship \$71.00.
- 5 (6) Morgan Silver Dollars – Edwin Sisson \$61.53 and the USPS \$55.42.

The third category is seized coins without any known victims. The Court orders that these coins be retained by the Postal Service (OIG) until the process in place for the first and second category has concluded, but no longer than 180 days from the date of this order. At that point, all coins not returned to claimants, with the exception of those specified in the fourth category are ordered returned to the defendant. The third category of coins includes all coins seized by Postal OIG not listed in categories 1, 2 and 4 of this order.

The fourth category includes known coins that were identified with partial receipts, where the victim information had been removed. The Postal Service (OIG) has determined that these coins were in fact stolen by the defendant, though the victims cannot be identified. The Court orders that these coins be retained by the United States, the same as if forfeited subjected to forfeiture. The Court is empowered to order such an outcome

due in part to the Joint Stipulation entered into by the parties as it relates to this category of coins. The following coins fall into this category:

1 (10) Pre – 1947 Walking Liberty Half-Dollars - \$170.50.

2 (1) 1889-O Morgan Dollar, uncirculated, Mintage: 11,875,000, MS-64, PCI  
#217359 007 – \$147.55.

The Court notes that the ordered disposition avoids the Court being mired in determining complex issues of fact related to victim losses which would have unduly prolonged the sentencing process.

DATED this 8<sup>th</sup> day of March, 2010.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge